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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/185,212 11/03/98 MAEDA

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EXAMINER

WM31/0823

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ART UNIT

PAPER NUMBER

2622

DATE MAILED:

08/23/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/185,212

Applicant(s)
Maeda et al

Examiner
Mark Wallerson

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2622



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jun 13, 2001
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-17 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☒ All b) ☐ Some* c) ☐ None of:

1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other:

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Part III DETAILED ACTION

Notice to Applicant(s)

1. This action is responsive to the following communications: amendment filed on 6/13/01.
2. This application has been reconsidered. Claims 1-17 are pending.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 17 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Claim 17 recites the limitation "the output request" in line 8 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

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such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1-4, 6-10, 12, 16, and 17** are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (U. S. 5,923,013) in view of Hamanaka et. al. (hereinafter referred to as Hamanaka) (U. S. 5,801,837).

With respect to **claim 1**, Suzuki discloses an image processing device (72) comprising image data input means (76 or 110, figure 12) for inputting image data; image data storage means (80) for storing the image data (column 8, lines 29-34); image data confirmation (identifying) means (78) for confirming (identifying) the characteristics (content) of the image data (column 5, lines 14-19; column 6, lines 56-64, and column 8, lines 11-28); management table means (92, figure 13) for managing the characteristics of each image data as management information of image data (column 8, lines 42-49 and column 8, line 58 to column 9, line 9) with reference to the corresponding data stored in the image data storage means (80) (column 8, line 58 to column 9, line 9), and image processing means (82) for performing image processing with respect to the image data (column 8, lines 29-35), wherein the management table means (92) manages input request information indicative of a request for transmitting the image data from the image processing means (which reads on to execute a print job, reading the image data to be printed from the data memory, and sending the image data to the printer) (column 9, lines 23-45).

Suzuki differs from claim 1 in that although he discloses sending the image data to the storage means, he does not clearly disclose that the management table manages input completion

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information indicative of the completion of an input of the image data in connection with the corresponding information stored in the image data storage means.

Hamanaka discloses an image forming apparatus wherein the page-by-page input information is set in the memory edition indication table (management table) (column 9, lines 3-23). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Suzuki wherein the management table manages input completion information indicative of the completion of an input of the image data. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Suzuki by the teaching of Hamanaka in order to allow the operator to know if a document has been misread as disclosed by Hamanaka in column 2, lines 5-8.

With regard to **claim 2**, Suzuki discloses means for setting a processing mode of the image processing means (column 12, lines 29-44).

With respect to **claim 3**, Suzuki discloses that the management table (92) further includes a mode management section (which reads on the job description file) (column 8, lines 58-61) for managing a processing mode (which reads on the number of print copies) as management information of the image data (column 16, lines 18-34), with reference to the image data stored in the storage means (which reads on saved job description files) (column 16, lines 13-17).

With regard to **claim 4**, Suzuki discloses an image processing management section (92) for performing image processing with respect to the image data based on the management information of the management table means (92) (column 11, lines 19-42).

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With regard to **claim 6**, Suzuki discloses image output means (72) outputting the processed image data (column 9, lines 33-45), wherein the management table (92) further includes a management output section (94) for outputting the image data from the output means according to the management information (column 8, lines 46-57 and column 9, lines 33-45).

With respect to **claims 7-10**, Suzuki discloses that the management table produces a table consisting of a table for managing information relating to the image data and processing conditions for the image data (column 8, line 58 to column 9, line 8), document ID information (column 8, lines 42-45), an image ID (contents ID) (column 4, lines 61-64), and an output image ID (page ID) for identifying each page of processed image data (column 4, lines 58-60)

With respect to **claim 12**, Suzuki discloses that the image data is for use in a computer (host system) (column 4, lines 51-54), and that the image data input means (76) is interface means for receiving data from the computer (figure 12).

With regard to **claim 16**, Suzuki discloses second image data storage means (100) for storing image data processed by the image data processing means (column 8, lines 36-41 and column 9, lines 33-45), the management table having means for managing the image data stored in the second image data storage means in connection with the corresponding management information (column 8, line 36 to column 9, line 16).

With respect to **claim 17**, Suzuki discloses second data storage means (90 or 100) for storing an image data which is subjected to image processing by the image processing means (column 8, lines 36-41 and column 9, lines 33-39); image outputting means (102) for outputting

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the processed second image data from the second image storage means (column 9, lines 39-43), management table means (92, figure 13) for managing output request information indicative of a request for transmitting the image data from the image output means (which reads on to execute a print job, reading the image data to be printed from the data memory, and sending the image data to the printer) (column 9, lines 23-45).

Suzuki differs from claim 17 in that he does not clearly disclose that the management table shows completion of the output of the first data and processing completion data.

Hamanaka discloses an image forming apparatus comprising a table that depicts image output completion and output completion of image data (figures 13 and 16 and column 9, lines 1-23). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Suzuki wherein the management table shows completion of the input of the first data and processing completion data. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Suzuki by the teaching of Hamanaka in order to ensure an adequate copying operation as disclosed by Hamanaka in column 2, lines 5-8.

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claim 11** is rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Hamanaka as applied to claim 1 above, and further in view of Morikawa (U. S. 5,960,247).

Suzuki as modified differs from claim 11 in that he does not clearly disclose that the image input means is a document image reading means for reading the image data of a document image.

Morikawa discloses a method of processing image data using a management table (figure 6) where a scan system (10) is used for reading the image data of an original (document) (column 3, lines 15-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Suzuki as modified wherein the image input means is a document image reading means for reading the image data of a document image. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Suzuki as modified by the teaching of Morikawa in order to allow the processing of print jobs on paper sheets.

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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11. **Claim 13** is rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Hamanaka as applied to claim 1 above, and further in view of Kusumoto (U. S. 6,088,135).

Suzuki as modified differs from claim 13 in that he does not clearly disclose that the image data is image data for use in a facsimile machine, and that the input means is a facsimile interface means for receiving data from the facsimile machine.

Kusumoto discloses means for processing image data using a management table (figure 11), wherein the image data may be image data for use in a facsimile machine (column 1, lines 5-10 and lines 25-30). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Suzuki as modified wherein the image data is image data for use in a facsimile machine, and the input means is a facsimile interface means for receiving data from the facsimile machine. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Suzuki as modified by the teaching of Kusumoto in order to be able to control the image processing in a facsimile by utilizing a management table.

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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13. **Claims 14 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Hamanaka et. al. (hereinafter referred to as Hamanaka) (U. S. 5,801,837).

With respect to claim 14, Suzuki discloses an image processing device (72) comprising first data storage means (80) for storing the image data (column 8, lines 29-34); image processing means (82) for performing image processing with respect to the image data (column 8, lines 29-35); second data storage means (90 or 100) for storing an image data which is subjected to image processing by the image processing means (column 8, lines 36-41 and column 9, lines 33-39); management table means (92, figure 13) for managing input request information indicative of a request for transmitting the image data from the image processing means (which reads on to execute a print job, reading the image data to be printed from the data memory, and sending the image data to the printer) (column 9, lines 23-45) the characteristics of each image data as management information of image data (column 8, lines 42-49 and column 8, line 58 to column 9, line 9) with reference to the corresponding data stored in the image data storage means (80) (column 8, line 58 to column 9, line 9).

Suzuki differs from claim 14 in that he does not clearly disclose that the management table shows completion of the input of the first data and processing completion data. Hamanaka discloses an image forming apparatus comprising a table that depicts image input completion and output completion of image data (figure 13 and column 9, lines 1-15). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Suzuki wherein the management table shows completion of the input of the first data and

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processing completion data. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Suzuki by the teaching of Hamanaka in order to allow the operator to know if a document has been misread as disclosed by Hamanaka in column 2, lines 5-8.

With respect to **claim 15**, Suzuki discloses image outputting means (102) for outputting the processed second image data from the second image storage means (column 9, lines 39-43), wherein the management table means (92, figure 13) manages output request information indicative of a request for transmitting the image data from the image output means (which reads on to execute a print job, reading the image data to be printed from the data memory, and sending the image data to the printer) (column 9, lines 23-45).

Suzuki differs from claim 15 in that he does not clearly disclose that the management table shows completion of the output of the first data and processing completion data.

Hamanaka discloses an image forming apparatus comprising a table that depicts image input completion and output completion of image data (figures 13 and 16 and column 9, lines 1-23). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Suzuki wherein the management table shows completion of the input of the first data and processing completion data. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Suzuki by the teaching of Hamanaka in order to ensure an adequate copying operation as disclosed by Hamanaka in column 2, lines 5-8.

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Response to Arguments

14. Applicant's arguments filed 6/13/2001 have been fully considered but they are not persuasive.

Applicant submits that the cited prior art does not disclose:

(1) *input completion information showing completion of an input of the image data, and input request information showing a request for transmitting the image data from the image processing means are managed in connection with the corresponding information in the data storage means.*

-- Hamanaka discloses input completion information showing completion of an input of the image data (figure 13).

-- Suzuki discloses input request information showing a request for transmitting the image data from the image processing means are managed in connection with the corresponding information in the data storage means (which reads on to execute a print job, reading the image data to be printed from the data memory, and sending the image data to the printer) (column 9, lines 23-45).

-- Hamanaka also discloses input request information showing a request for transmitting the image data from the image processing means (S3, figure 16).

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(2) *output completion means showing completion of an output of the image data which was processed by the image processing means, and output request information showing a request for outputting the image data from the image output means are managed in connection with the corresponding information in the data storage means.*

-- Hamanaka discloses showing completion of an output of the image data which was processed by the image processing means (figures 13 and 16 and column 9, lines 1-23)

-- Hamanaka discloses output request information showing a request for outputting the image data from the image output means are managed in connection with the corresponding information in the data storage means (S5, figure 16)

-- Suzuki also discloses managing output request information indicative of a request for transmitting the image data from the image output means (which reads on to execute a print job, reading the image data to be printed from the data memory, and sending the image data to the printer) (column 9, lines 23-45).

Conclusion

15. All claims are rejected.

16. Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

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A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Wallerson whose telephone number is (703) 305-8581.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231


or faxed to:

(703) 872-9314 (for formal communications intended for entry)

(for informal or draft communications, such as proposed amendments to be discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

or hand-carried to:

Crystal Park Two
2121 Crystal Drive
Arlington, VA.
Sixth Floor (Receptionist)


MARK WALLERSON
PATENT EXAMINER

Mark Wallerson